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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,127	04/26/2001	Reginald C. Shiverick	2589-101	6542
6449	7590	04/19/2005	EXAMINER	
ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			TO, BAOQUOC N	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,127

Applicant(s)

SHIVERICK ET AL.

Examiner

Baoquoc N To

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/19/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 15-37 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-14 and 34-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. After carefully review applicant remarks, the office withdraws the Finality of the Office Action dated on 02/17/2004. The Office regrets any inconveniences due to the application.

2. Claims 1-48 are pending in this application.

Response to Arguments

3. Applicant's arguments with respect to claims 1 and 37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-14 and 38-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chasen et al. (US. Patent No. 6,760,721 B1) in view of Nishikawa et al. (US. Patent No. 6,348,932 B1).

Regarding on claim 1, Chasen teaches a computer-implemented information retrieval method, comprising the steps of:

Generating a filtering query by specifying at least one query operator from selected data groupings of a filter tree table (queries the metadata database 232 for all records that fall within the selected grouping) (col. 7, lines 53-55);

Running said filtering query against an unfiltered data table containing items of data (display the metadata pertaining to the audio tracks that fall within the selected grouping) (the queries are executed with the results are displayed) (col. 7, lines 55-58);

Creating a filtered data table by receiving one or more data items filtered from said unfiltered data table in response to said filtering query and placing received data items in said filtered data table (generate the node table 132 for display in the table window 130) (col. 7, lines 43-45);

Displaying data items in said filtered data table (displayed in the table window 132) (col. 7, lines 44-45);

Displaying filter data in said filter tree table, with said filter data including selected data groupings (the node table 132 displays additional information about the selected grouping) (col. 7, lines 45-46); and

branching back to the generating step upon receipt of said user input (the metadata management module 210 may be requested to build the master tree 122 and the node table 132 upon the occurrence of several events, for example, upon user request (e.g., selecting the "refresh" button or via a menu option)) (this suggests the each time the user request the grouping restarts) (col. 7, lines 23-26).

Chasen does not explicitly teach accepting a user input that selects or deselects a data grouping to be filtered and displayed. However, Nishikawa discloses "the GUI

includes a user icons for filtering and/or selecting the received data, a scrolling ticker region for displaying information about upcoming DSS events and providing access to related Internet web sites, and ..." (abstract, lines 9-14). This suggests the user selecting the icons for grouping purposes. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify Chasen's system to include grouping by selecting the icons as taught by Nishikawa in order to provide the organized data in the computer system.

Regarding on claim 2, Chasen teaches selecting one or more data sets (col. 7, lines 45-62);

Creating said unfiltered data table by receiving in said unfiltered data table a plurality of data items from said one or more data sets (col. 7, lines 45-62);

Displaying said plurality of data items of said unfiltered data table (col. 7, lines 45-62); and

Updating said filter tree table, with said filter tree table including selectable data groupings for said one or more data sets (col. 7, lines 45-62).

Regarding on claim 4, Chasen teaches the step of generating one or more data item results in response to said summary query (col. 7, lines 45-52).

Regarding on claim 5, Chasen teaches a preliminary step of selecting a data set (col. 7, lines 45-52).

Regarding on claim 6, Chasen teaches data set comprises a database (database collection 230) (col. 9, lines 25-26).

Regarding on claim 7, Chasen teaches data set comprises one or more data tables (fig. 1).

Regarding on claim 8, Chasen teaches a first filter level of said filter tree table corresponding to a column in said data set (Fig. 1).

Regarding on claim 9, Chasen teaches the step of displaying a data item count for a particular data grouping (col. 7, lines 20-23).

Regarding on claim 10, Chasen teaches the step of displaying a data item count for a particular data grouping and updating all data items counts upon a data grouping selection or de-selection by said user (col. 7, lines 45-63).

Regarding on claim 11, Chasen teaches all data grouping are automatically recalculated upon a selection or de-selection by said user (col. 7, lines 45-63).

Regarding on claim 12, Chasen teaches generating a filtering query step includes creating said filtering query based on selected data groupings (col. 7, lines 45-63).

Regarding on claim 13, Chasen teaches filtering query is a SQL query (col. 7, lines 20-31).

Regarding on claim 14, Chasen teaches accepting a user input includes a user clicking on a selection icon, with said selection icon corresponding to a predetermined data grouping (col. 7, lines 35-62).

Claim 37 is rejected under the same reason as claim 1.

Regarding on claim 38, Chasen teaches information retrieval apparatus comprises a data server accessible to clients in a client-server arrangement (col. 17, lines 25-30).

Regarding on claim 39, Chasen teaches a user computer that further includes input and output devices (col. 8, lines 14-27).

Regarding on claim 40, Chasen teaches a data source interface communicating with said processor and capable of receiving data from one or more external data sources (col. 17, lines 25-30).

Regarding on claim 41, Chasen teaches a data source interface communicating with said processor and capable of receiving data from one or more external data source, and wherein said data source interface is capable of translating received data items into a predetermined data format (col. 17, lines 25-30).

Regarding on claim 42, Chasen teaches at least one internal data source communicating with said processor (col. 17, lines 25-30).

Regarding on claim 43, Chasen teaches filter tree table is capable of storing data item counts corresponding to each data grouping (col. 7, lines 45-62).

Regarding on claim 44, Chasen teaches filter tree table is capable of storing data item results corresponding to each data grouping (col. 7, lines 45-62).

Regarding on claim 45, Chasen teaches processor is capable of generating a display of one or more data items corresponding to selected data groupings in said filter tree table (col. 7, lines 45-62).

Regarding on claim 46, Chasen teaches processor is capable of generating a display of a parameter filter comprising data grouping stored in said filter tree table (col. 7, lines 45-62).

Regarding on claim 47, Chasen processor is capable of generating a display of a parametric filter, comprising data grouping and data item counts stored in said filter tree table (col. 7, lines 45-62).

Regarding on claim 48, Chasen processor is capable of generating a display of a parametric filter comprising data grouping and data item results stored in said filter tree table (col. 7, lines 20-23).

Allowable Subject Matter

5. Claims 3 and 15-36 are allowed over prior art of record.

The following is an examiner's statement of reasons for allowance:

As to claim 15, none of the known prior art neither teach nor suggest "Generating a summary query from selected data grouping of said filtered tree table; running said summary query against said filtered data table; generating a summary result comprising a data item count for each selected data comprising; updating said filter tree table with said summary results; displaying filter data in said filter tree table, with said filter data including selected data grouping and associated data item counts;" in conjunction with "Selecting one or more data sets; creating a unfiltered data table by receiving in said unfiltered data table a plurality of data items from said one or more data sets; displaying said plurality of data items of said unfiltered data table; generating a filter tree table, with said filter tree table including selectable data grouping for said one or more data sets;

generating a filtering query from selected data grouping of said filter tree table, with said filtering query comprising one or more query operators; running said filtering query against said unfiltered data table; creating a filtered data table by receiving in said filtered data table one or more data items filtered from said unfiltered data table in response to said filtering query; displaying data items in said filtered data table; accepting a user input that selects or de-selects a data grouping to be filtered and displayed; and branching back to said updating a filter tree table step upon receipt of user input.”

Claims 16-24 are dependent claims which allowed under the same reason as to claim 15.

Independent claim 25 shares similarities claim 15, therefore, it is allowed under the same reason as claim 15.

Claims 26-36 are dependent claims which are allowed under the same reason as to claim 25.

Dependent claim 3 shares the same similarities of claim 15, it would be allowable if written into independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To
April 13, 2005

A handwritten signature in black ink is written over a rectangular stamp. The signature appears to be "Baoquoc N. To". The stamp contains the text "U.S. PATENT AND TRADEMARK OFFICE" and "APR 13 2005" in a grid-like format.